



FEDERAL COMMUNICATIONS COMMISSION
ENFORCEMENT BUREAU
South Central Region

Miami Office
P.O. Box 520617
Miami, FL 33152-0617

January 9, 2009

William J. Perry
Fort Lauderdale, Florida

NOTICE OF UNLICENSED OPERATION

Case Number: EB-08-MA-0212/0214
Document Number: W200932600027

The Miami Office received information that unlicensed broadcast radio stations on 92.5 MHz and 103.9 MHz were allegedly operating in the Fort Lauderdale area. On November 24, 2008, agents from this office confirmed by direction finding techniques that radio signals on frequency 92.5 MHz were emanating from one of two antennas at the property 701 NW 20th Ave., Fort Lauderdale, Florida 33311. On that same day, agents from this office confirmed by direction finding techniques that radio signals on the frequency 103.9 MHz were emanating from one of two antennas at the property 701 NW 20th Ave., Fort Lauderdale, Florida 33311. Public records list you as the owner of the property. The Commission's records show that no license was issued for operation of a broadcast station on 92.5 MHz or 103.9 MHz at this location in Fort Lauderdale, Florida.

Radio stations must be licensed by the FCC pursuant to 47 U.S.C. § 301. The only exception to this licensing requirement is for certain transmitters using or operating at a power level or mode of operation that complies with the standards established in Part 15 of the Commission's rules, 47 C.F.R. §§ 15.1 *et seq.* On November 24, 2008, the field strengths of the signals on frequencies 92.5 MHz and 103.9 MHz were measured at 26,907 and 34,610 microvolts per meter ($\mu\text{V}/\text{m}$) at 224 meters, respectively, which exceeded the maximum permitted level of 250 $\mu\text{V}/\text{m}$ at 3 meters for non-licensed devices. Thus, these stations are operating in violation of 47 U.S.C. § 301.

You are hereby warned that operation of radio transmitting equipment without a valid radio station authorization constitutes a violation of the Federal laws cited above and could subject the operator to severe penalties, including, but not limited to, substantial monetary fines, *in rem* arrest action against the offending radio equipment, and criminal sanctions including imprisonment. (*see* 47 U.S.C. §§ 401, 501, 503 and 510).

UNLICENSED OPERATION OF THESE RADIO STATIONS MUST NOT RESUME.

You have ten (10) days from the date of this notice to respond with any evidence that you have authority to operate granted by the FCC. Your response should be sent to the address in the letterhead and reference the listed case and document number. Under the Privacy Act of 1974, 5 U.S.C. § 552a(e)(3), we are informing you that the Commission's staff will use all relevant material information before it to determine what, if any, enforcement action is required to ensure your compliance with FCC Rules. This will include any information that you disclose in your reply.

You may contact this office if you have any questions.

Stephanie Dabkowski
Resident Agent
Miami Office

Attachments:

Excerpts from the Communications Act of 1934, As Amended
Enforcement Bureau, "Inspection Fact Sheet," March 2005